UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,404	12/14/2000	Suman Kumar Inala	P3902D1	1791

24739   7590   09/18/2007
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EXAMINER
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ART UNIT	PAPER NUMBER
2176	

MAIL DATE	DELIVERY MODE
09/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _02 July 2007_.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-5,7-11,13 and 14_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-5,7-11,13 and 14_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action.   Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114.   Applicant's submission filed on 07/02/2007 has been entered.   Claims 1-5, 7-11 and 13-14 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3.   Claims 1-5, 7-11 and 13-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim 1 contains subject matter "single summary report" and claim 7 contains "summarized in a single report", which were not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 7-11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nazem et al., U.S. Patent No. 5,983,227, in view of Nehab et al.,

U.S. Patent No. 6,029,182, Gershman et al., U.S. Patent No. 6,356,905, and Rao, U.S.

Patent No. 6,078,929.

Claim 1:

Nazem discloses an Internet Portal (Nazem, Internet 106; Column 2, Lines 52-

57), comprising:

- an Internet-connected server (Nazem, a client-server system 100 . . . obtains the

  page from a page server 104 via Internet 106; Column 2, Lines 51-57 and Figure

  1); and

- a portal software executing on the server (Nazem, Figures 1 and 5,

  "my.yahoo.com", a well-known Internet portal), including a summary software

  agent (Nazem, Column 3, Lines 15-48, when a page server receives the URL . . .

  it interprets that as a request for the user's custom summary page).

While teaching "summarizes the retrieved information for delivery to the

subscriber" (Nazem, Column 5, Lines 66 through Column 6, Line 12, summaries from

each of the major news topics can also be stored in the shared memory and viewed by

pressing on the news topic header . . . intelligently display dates 510 customized for a

particular user), Nazem fails to expressly disclose maintaining a list of Internet

destinations at secure servers, maintaining personal financial accounts for one or more

of a plurality of subscribing users, and a summary software agent that automatically

logs in to the secure servers on behalf of, and transparent to, the subscribing users at

the Portal, retrieves financial information personal to the subscribing users, stores the

retrieved financial information at the portal; according to pre-programmed criteria, and

summarizes the retrieved information from the plurality of Internet destinations in a

single summary report for delivery to the subscribing users.

Nehab teaches the steps of:

- maintaining a list of a plurality of Internet destinations specifically authorized and

    specified by a subscribing user (Nehab, Abstract, Lines 1-5, a World Wide Web

    site data retrieval system . . . stored Web site address information; Also col. 3,

    lines 45-48; col. 6, lines 20-30: within the website address information is

    homepage with links (plurality of Internet destinations) to indices such as

    headings, which are in turn linked to articles); and

- the summary software agent automatically logs in to the secure server on behalf

    of, and transparent to the subscribing users, according to data stored for the

    subscribing users at the Portal, retrieves financial information personal to the

    subscribing users, stores the retrieved financial information at the portal;

    according to pre-programmed criteria, and summarizes the retrieved information

for delivery to the subscribing users (Nehab, Abstract, Lines 1-22; Column 2,

lines 57-64; Column 3, Lines 15-28 and Lines 50-65; Column 4, Lines 2-12;

Column 9, Lines 36-43 and Column 10, Lines 22-28, server retrieves stored

personal user profile which includes user defined web site address information,

user defined web site command, and user defined formatting command to

automatically access, download, extract, and format various web sites into a

linear document (single summary report) based on user defined criteria).

Accordingly, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to have combined the teachings of Nehab and Nazem

to summarize the retrieved information from many web sites which are defined and

authorized by subscribers, and deliver theses summaries to the subscribers, since it

would have provided the capability for searching and obtaining personal information that

subscribers need on an Internet server.

However, Nehab does not explicitly disclose personal information is financial

information including at least account balances or values, which is maintained at secure

servers.

Gershman teaches Portal server utilize software agents and third party services

to respond to customer needs, such a personal news and entertainment, personal

shopping, personal finance, personal life insurance, paying bills, etc. (Gershman,

Column 34, Lines 60-63; Column 35, Lines 15-20 and Lines 61-65; Column 57, Lines 5-

15 and Lines 29-33). Gershman's teaching of obtaining personal finance and bill

payment information online certainly implies the use of secure servers and user authentication. In addition, Gershman teaches the transaction interface is responsible for providing an interface to the application for storing of contact information about end user, these includes account balance inquiry (col. 49, lines 1-7).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined Gershman into Nehab and Nazem to provide financial information personal including at least account balances for subscribers through Portal server, since the subscribers would have received many personal information needs from many services such as personal shopping, personal insurance summary, paying bill, etc. besides personalized newspaper of Nehab.

Further, Rao teaches a server automatically logs in to secure server on behalf of and transparent to a subscribing user by using user ID and password (Rao, Abstract and Column 4, Lines 15-24).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined Rao into Gershman, Nehab and Nazem to allow the summary agent of Nehab to automatically log in to the secure servers, such as financial, credit bill, life insurance servers, on behalf of subscribing users, since the agent would have retrieved personal information needs from many kinds of servers for a subscribing server by using the subscribing user's ID and password that is authorized.

Claim 2:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches a configuration and initiation interface for a subscriber to set up and start a summary search (Nehab, Column 9, Lines 36-43 and Column 10, Lines 37-44).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for facilitating searching and obtaining information from an Internet server.

Claim 3:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches the summary searches are configured for individual clients as templates stored and retrieved at the Internet-connected server (Nehab, Column 7, Lines 27-34).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for facilitating storing and retrieving information from an Internet server.

Claim 4:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches information retrieved in a summary search is to be retrieved by the subscriber (Nehab, Column 10, Lines 22-36).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for users to retrieve a summary search.

Claim 5:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Nehab teaches information retrieved in a summary search is downloaded immediately to the subscriber (Nehab, Column 10, Lines 22-36).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the teachings of Nehab with Nazem because it would have provided the capability for users to view a summary of the desired information.

Claim 13:

As indicated in the above discussion, Nazem, Nehab, Gershman and Rao teach the limitations of Claim 1.

Gershman teaches wherein the account balance or value data summarized in the reports are from a plurality of Internet destinations wherein the data is formatted and combined in a single report and statistical calculations are performed and the results presented in the reports (Gershman, col. 29, line 61 – col. 30, line 7: the supplier profile database contains information about the product and service providers integrated into the intention, the information in the database provides a link between the intention framework and the suppliers, it includes addresses of the suppliers' product web sites (Internet destinations). The supplier's web server provides access to all of the supplier's database necessary to provide information and transactional support to the customer. Gershman also teaches the server performs the mathematical calculation (statistical calculation) to create a normalized set of statistics, which are inserted into a product report and returned to the user as a product report (col. 32, line 49 – col. 33, line 32).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined Gershman into Nehab and Nazem to provide financial information personal including at least account balances for subscribers through Portal server, since the subscribers would have received many personal information needs from many services such as personal shopping, personal insurance summary, paying bill, etc. besides personalized newspaper of Nehab.

Claims 7-11 and 14:

These claims are directed to a method for presenting the system of Claims 1-5

and 13 respectively, and are rejected using the same rationale used in the above

rejections.

Claims 1-5, 7-11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nielsen, U.S. Patent No. 6,006,333, in view of Franco et al., U.S.

Patent No. 6,687,745.

Claim 1:

Nielsen discloses an Internet Portal, comprising:

- an Internet-connected server (see Figure 1B); and

- a portal software executing on the server (see Column 3, Lines 36-49),

wherein the Portal maintains a list of Internet destinations at secure servers (see

element 202, Figure 2) maintaining personal proprietary accounts for each one or more

of a plurality of subscribing users (see Column 1, Lines 31-34; see Column 1, Lines 63-

65 – many websites have limited access, thus implying that the websites contain

"proprietary" information for subscribers to the websites; additionally, the users

subscribe to the web sites, and thus information on those web sites is "proprietary" to

the users), and the software automatically logs in to the secure servers on behalf of,

and transparent to the subscribing users, according to data stored for the subscribing

users at the Portal (see Column 2, Lines 18-24), retrieves information proprietary to

each one of the subscribing users (information from web sites is retrieved, and that

information is "proprietary" to the users) and stores the retrieved information at the

Portal (the "retrieved information" is stored at the Portal in that the web sites are stored

on servers), according to pre-programmed criteria (the content provider managing the

servers determine the conditions under which and the procedures how the websites are

stored).

Nielsen fails to expressly disclose:

• a portal software executing on the server, including a summary software agent,

wherein the Portal maintains a list of a plurality of Internet destinations that maintain

proprietary *financial* accounts for subscribing users, retrieves *financial* information

proprietary to each one of the subscribing users, the retrieving information including at

least account balances or values, stores the retrieved *financial* information at the

Portal, and summarizes the retrieved information summarized in a single report for

delivery to the subscribing users.

Franco teaches portal software executing on the server (see element 64, Figure

1), including a summary software agent, wherein the portal software maintains

proprietary financial accounts for users (see Figure 4A – the software "maintains"

"proprietary financial accounts" in that it keeps information about stocks owned by the

user), retrieves financial information proprietary to each one of the users (see Figures 2

and 4A – the software "retrieves" "proprietary financial information" in that it displays the

user's stock portfolio and trading orders), and summarizes the retrieved information for

delivery to the subscribing users (see Figure 4A – the software "summarizes" the

retrieved information in that it displays only those stocks chosen for display by the user)

for the purpose of providing links to remotely store information (see Column 4, Lines 25-

30). Franco teaches the financial information including at least account balances or

values in Figure 4A – the software retrieves proprietary financial information in that it

displays the user's stock portfolio which includes volume column showing financial

information balances or values. In addition, Franco teaches in Figure 4A that

summarizing the retrieved information for delivery to the subscribing users in a single

report "stock watcher report".

Accordingly, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify the Internet Portal, disclosed by Nielsen, to

include financial information and a summary software agent that summarizes the

retrieved information for delivery to the subscribing users, for the purpose of providing

links to remotely store information, as taught by Franco.

Claims 2-5:

Nielsen fails to expressly disclose:

- a configuration and initiation interface for a subscriber to set up and start a
  summary report (see Claim 2);

- summary reports that are configured for individual clients as templates stored
  and retrieved at the Internet-connected server (see Claim 3);

- information retrieved in a summary report that is retrieved by the subscriber (see
  Claim 4); and

- information retrieved in a summary report that is downloaded immediately to the

  subscriber (see Claim 5).

  Franco teaches:

- a configuration and initiation interface for a subscriber to set up and start a

  summary search (see Figures 2 and 4A);

- summary searches that are configured for individual clients as templates stored

  and retrieved at the Internet-connected server (see Figures 2 and 4A);

- information retrieved in a summary search that is retrieved by the subscriber (the

  information retrieved in a summary search is retrieved by the subscriber in that

  the user chooses which stocks for which information is obtained); and

- information retrieved in a summary search that is downloaded immediately to the

  subscriber (see Figures 2 and 4A),

for the purpose of providing links to remotely store information (see Column 4, Lines 25-

30).

Accordingly, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify the Internet Portal, disclosed by Nielsen, to

include:

- a configuration and initiation interface for a subscriber to set up and start a

  summary search;

- summary searches that are configured for individual clients as templates stored

  and retrieved at the Internet-connected server;

- information retrieved in a summary search that is retrieved by the subscriber; and

- information retrieved in a summary search that is downloaded immediately to the
  subscriber,

for the purpose of providing links to remotely store information, as taught by Franco.

Claim 13:

As indicated in the above discussion, Nielsen and Franco teach the limitation of

claims 1-5 above.

Franco teaches wherein the account balance or value data summarized in the

reports are from a plurality of Internet destinations wherein the data is formatted and

combined in a single report and statistical calculations are performed and the results

presented in the reports (Franco, Figure 4A shows the stock watcher is displayed in a

single reports, and the data in the stock watcher is statistical calculation such as

displaying different times, current data at current time, and how the data change based

on the previous data...)

Accordingly, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify the Internet Portal, disclosed by Nielsen, to

include financial information and a summary software agent that summarizes the

retrieved information for delivery to the subscribing users, for the purpose of providing

links to remotely store information, as taught by Franco.

Claims 7-11 and 14:

These claims are directed to a method for presenting the system of Claims 1-5

and 13, respectively, and are rejected using the same rationale used in the above

rejections..

Response to Arguments

Applicant's arguments filed 10 May 2004 have been fully considered but they are

not persuasive.

Arguments for Claim 1 with regard to the 103 rejection based on Nazem, in view of

Nehab, Gershman and Rao:

Applicant argues that Gershman fails to teach *retrieving, storing* and

summarizing proprietary financial information. See *Applicant's Response* – Page 6.

The examiner disagrees.

The examiner does not use Gershman to teach *storing* and *summarizing*

proprietary financial information. Other references used in the 103 rejection

disclose/teach these limitations. Gershman is used to teach only *retrieving* proprietary

financial information. As indicated in Applicant's Response (see Page 6, first full

paragraph), Gershman does teach retrieving proprietary financial information in that it

includes online bill paying. The information required to pay bills online is "proprietary" to

the user in that the information is not available to third parties.

In support of its argument, Applicant states that the agent is able to go online and pay bills for the subscribing user without retrieving financial information proprietary to the subscribing user (see Page 6, first full paragraph, third sentence).

The examiner disagrees.

In order for the agents in Gershman to pay bills for subscribing users, the agents do retrieve financial information proprietary to the subscribing user. For example, the agent must access a user's account at the creditor's database to find out how much the user owes the creditor. This information is both "financial" and "proprietary" to the user.

Moreover, Applicant appears to argue against the references individually. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Arguments for Claim 1 with regard to the 103 rejection based on Nielsen, in view of Franco:

Applicant argues that Franco fails to disclose maintaining **proprietary** financial information because Franco fails to expressly disclose that the displayed stocks and trading orders are solely owned by the user. See *Applicant's Response* – Page 6.

The examiner disagrees.

The express, implicit, and inherent disclosures of a prior art reference may be relied upon in the rejection of claims under 35 U.S.C. 102 or 103. Thus, any implied

teaching found in Franco can be properly used in a rejection based on the prior art.

Franco might be a patent for the "droplet" software, but it is a reference for everything is

expressly, implicitly and inherently discloses.

Franco expressly states that its invention retrieves applications and information

from a remote source (see Column 4, Lines 43-47) and allows the user to selectively re-

establish connection to the remote source for invoking and presenting the remotely

stored applications and information on an as-needed basis (see Column 5, Lines 5-9).

Figures 2 and 4 show the "Stock Watcher" application, which displays a user's trading

orders (see Figure 2) and current statistics for stocks (see Figure 4). The cited text and

figures imply that a user may review and update his trading orders on an as-needed

basis. Additionally, the trading orders are certainly "proprietary" to the user in that the

orders are "owned" by the user and unknown to third parties.

Applicants argued that the combined art fails to teach financial information being

at least account balances or values wherein that information is from a plurality of

sources combined, formatted and provided in a single report.

The examiner disagrees.

Nehab, Abstract, Lines 1-22; Column 2, lines 57-64; Column 3, Lines 15-28 and

Lines 50-65; Column 4, Lines 2-12; Column 9, Lines 36-43 and Column 10, Lines 22-

28, server retrieves stored personal user profile which includes user defined web site

address information, user defined web site command, and user defined formatting

command to automatically access, download, extract, and format various web sites into

a linear document (single summary report) based on user defined criteria

However, Nehab does not explicitly disclose personal information is financial

information including at least account balances or values.

Gershman teaches Portal server utilize software agents and third party services

to respond to customer needs, such a personal news and entertainment, personal

shopping, personal finance, personal life insurance, paying bills, etc. (Gershman,

Column 34, Lines 60-63; Column 35, Lines 15-20 and Lines 61-65; Column 57, Lines 5-

15 and Lines 29-33). Gershman's teaching of obtaining personal finance and bill

payment information online certainly implies the use of secure servers and user

authentication. In addition, Gershman teaches the transaction interface is responsible

for providing an interface to the application for storing of contact information about end

user, these includes account balance inquiry (col. 49, lines 1-7).

Accordingly, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to have combined Gershman into Nehab and Nazem

to provide financial information personal including at least account balances for

subscribers through Portal server, since the subscribers would have received many

personal information needs from many services such as personal shopping, personal

insurance summary, paying bill, etc. besides personalized newspaper of Nehab.

The prior art fails to provide statistical calculations on the retrieved information in

the report.

The examiner disagrees.

Gershman teaches col. 29, line 61 – col. 30, line 7: the supplier profile database contains information about the product and service providers integrated into the intention, the information in the database provides a link between the intention framework and the suppliers, it includes addresses of the suppliers' product web sites (Internet destinations). The supplier's web server provides access to all of the supplier's database necessary to provide information and transactional support to the customer. Gershman also teaches the server performs the mathematical calculation (statistical calculation) to create a normalized set of statistics, which are inserted into a product report and returned to the user as a product report (col. 32, line 49 – col. 33, line 32).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Doug Hutton, can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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